

Kasell Law Firm

November 2, 2023

Via CM/ECF

Hon. Sanket J. Bulsara
United States District Court
Eastern District of New York
225 Cadman Plaza East Chambers 304N,
Courtroom 13C
Brooklyn, New York 11201

Re: Order to Show Cause Issued by Court in *Pollack v. Gordon and Fusion Models BK LLC*, 23 Civ. 02376

Judge Bulsara:

As counsel for Plaintiff in the above-caption action, I write to request an initial conference. The initial conference did not take place on August 11, 2023, after counsel for Defendants did not meet-and-confer. (CM/ECF No. 16). An Order to Show Cause was issued by the Court on September 1, 2023. The Court's Order stated: "Defendants' counsel must submit a letter to the Court by 9/08/2023 explaining the reason for failing to appear at the conference and why Plaintiff's counsel should not be awarded reasonable attorney's fees. Failure to respond to the Court may result in the imposition of sanctions." CM/ECF Entry dated 09/01/2023.

The Court issued another Order on September 29, 2023, that stated: "Defendants' counsel failed to respond to the Court's Order to Show Cause dated 9/1/2023 by 9/15/2023. Defendants' counsel must submit a response by no later than 10/6/2023. Failure to submit a response may lead to sanctions, entry of default, or other appropriate remedies." CM/ECF 09/01/2023.

Defense counsel did not comply with the Court's Order. A second counsel appeared on October 4, 2023, Maria Patelis. Thus, we respectfully request a conference with the Court regarding the two Orders that Salvatore Strazzullo has not responded to as well as the initial conference so that a discovery schedule may be set.

Respectfully,

/s/ David Kasell
Counsel for Plaintiff Kevin Pollack

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